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August 26, 2020

VIA ECF AND HAND DELIVERY

Honorable Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street, Room 17C
New York, New York 10007

Re: *The Insurance Company of the State of Pennsylvania v. Equitas Insurance Limited*, Case No. 17-cv-6850 (LTS) (HBP)

Dear Judge Swain,

We represent Plaintiff The Insurance Company of the State of Pennsylvania (“ICSOP”) in the above-referenced matter. Counsel for Defendant Equitas Insurance Limited (“EIL”) has reviewed and approved this letter.

In the past few days it has come to the attention of Counsel for ICSOP that a particular document produced in discovery and separately designated by both parties as an exhibit in their summary judgment papers allegedly contains certain confidential information that may constitute attorney work-product related to ongoing litigation between non-parties to this action, and which should have been redacted when the document was produced in discovery. Those portions of the designated exhibit containing this allegedly confidential information were not relied upon or cited by either party in their summary judgment submissions, and the document was not cited in the Court’s Summary Judgment Order [Dkt. # 62].

In accordance with the October 10, 2018 Stipulated Order as endorsed by the Court [Dkt. # 18], ICSOP respectfully requests that the Court permit the parties to amend the record by replacing the current version of the exhibits on the docket with a redacted version of the designated document, removing the allegedly confidential information. For the Court’s reference, we enclose with the courtesy copy of this letter a copy of the file-stamped exhibits, on which we have flagged and highlighted in blue the items for redaction. The proposed redactions to the document will not require any redaction from any of the briefing previously filed in connection with the motions. Therefore, the proposed measure will preserve the existing record in this proceeding while also protecting the confidentiality of the redacted information by removing it from the public record.

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For these reasons, ICSOP respectfully requests that the Court permit it to make the limited redactions indicated on the enclosures to this letter, and amend the record accordingly to replace the current unredacted exhibits with the redacted version of the designated document. Counsel for EIL has confirmed that EIL does not object to this requested relief.

Respectfully submitted,



Andrew L. Poplinger

Enclosures (via hand delivery only)

cc: Sean Thomas Keely, Esq. (*via email with enclosures*)

The joint request to seal certain exhibits filed in connection with the summary judgment motion is GRANTED.

The parties are notified that the redacted exhibits are not attached to the current Letter-Motion filed at ECF No. 69.

Accordingly, by **September 4, 2020** the parties are directed to file the redacted exhibits on the docket. In addition, they shall file a letter under seal listing by ECF number the exhibits to be sealed. At that time, the Court will make the original exhibits only visible to the parties.

The Clerk of Court is respectfully directed to close the Letter-Motion at ECF No. 69.

SO ORDERED 8/27/2020



SARAH L. CAVE
United States Magistrate Judge